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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

SHOTSAY POSCIRI,

Plaintiff-Intervenor,

vs.

UNITED FREIGHT AND TRANSPORT,
INC.,

Defendant.

Case No. 3:05-cv-0122-JWS

AFFIDAVIT OF FRANK MONFREY

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

FRANK MONFREY, being first duly sworn, deposes and testifies as follows:

1. I am the President of defendant United Freight and Transport, Inc. ("United Freight"). I have personal knowledge of the facts contained herein.

2. United Freight is a privately owned corporation that operates a local trucking company in Anchorage, Alaska. The vast majority of United Freight's business involves local delivery of cargo arriving at the Port of Anchorage.

3. United Freight is also a Union company. Employee compensation and benefits, as well as all other aspects of United Freight's employment-related matters, are governed by United Freight's Collective Bargaining Agreement with the General Teamsters Local 959 ("Teamsters").

4. The terms and conditions of United Freight's Collective Bargaining Agreement are negotiated every three to four years and have a significant impact on United Freight's financial success. For the past six years, I have been responsible for representing United Freight at these negotiations.

5. The EEOC has requested all financial records related to United Freight's financial worth.

6. These records contain highly confidential and commercially sensitive information not available to the public, United Freight's competitors, or the Teamsters.

7. Disclosure of this information would significantly compromise United Freight's future negotiations with the Teamsters as well as have a significant impact on United Freight's financial success. Past negotiations with the Teamsters have been highly contentious and lasted as many as nine months. Based on my experience, disclosure of this information would exponentially increase the difficulty of reaching any agreement, much less a profitable agreement for United Freight.

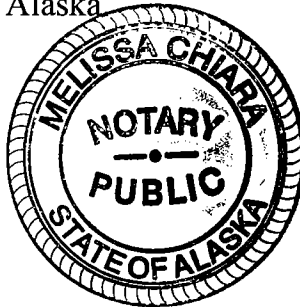
8. Disclosure of this information would also compromise United Freight's competitive edge. United Freight's competitors operate nearly identical businesses, and United Freight's main competitor is also privately owned. Dissemination of United

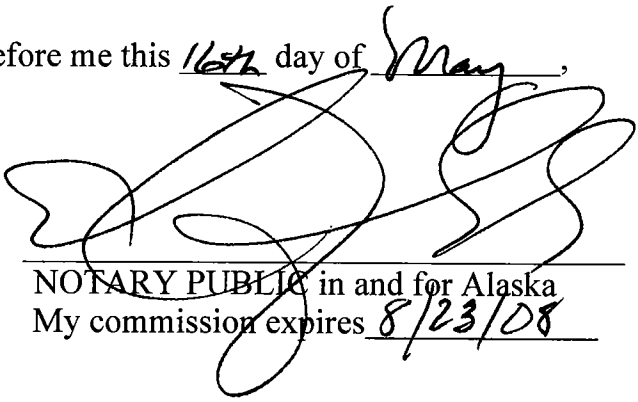
Freight's non-public financial information would give United Freight's competitors substantial insight into United Freight's otherwise confidential financial operations, including commercially sensitive information.

9. Maintaining the confidentiality of United Freight's financial records is essential to United Freight's continuing financial success.


FRANK MONFREY

SUBSCRIBED AND SWORN to before me this 16th day of May, 2006, at Anchorage, Alaska



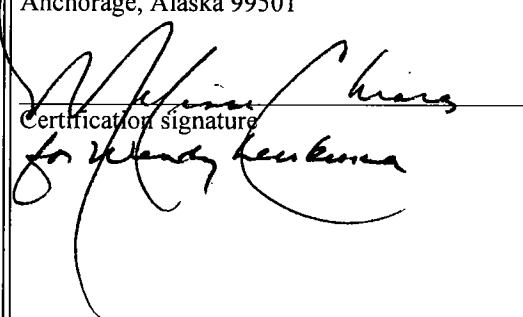

NOTARY PUBLIC in and for Alaska
My commission expires 8/23/08

CERTIFICATE OF SERVICE

This certifies that on this 19th day of May, 2006, a true and correct copy of the foregoing document was served on the following by electronic mail:

Teri Healy
Equal Employment Opportunity Commission
Seattle District Office
909 1st Avenue, Suite 400
Seattle, Washington 98104

Kenneth W. Legacki
425 G Street, Suite 920
Anchorage, Alaska 99501


Certification signature